

**OPINION
58-204**

July 8, 1958 (OPINION)

MUNICIPAL GOVERNMENT

RE: Public Libraries - Form of Petition For

Pursuant to your request of June 25, 1958, please be advised that it is the opinion of the Attorney General that section 40-3801 of the 1957 Supplement to the N.D.R.C. of 1943 provides that the county commissioners have the power to establish and maintain a public library service upon petition of not less than fifty one percent of the voters of such county participating in the last election. There seems to be no legal requirement as to the form of the petitions and so it is only necessary that the commissioners satisfy themselves that the petitions meet the sole qualification of the statute as above indicated. For that reason, it appears that the date of signing the petition is immaterial as long as the petition is signed by fifty-one percent of the voters participating in the last general election.

LESLIE R. BURGUM

Attorney General